

* This is a amended copy of the complaint for case # 17-cv-191-jdp
Case: 3:17-cv-00191-jdp Document #: 5 Filed: 03/23/17 Page 1 of 5
To be filed. I am changing the Defendants from the Vernon county
sheriffs office to the Hillsboro Police Dept - officer Brandon Arnez. I am
sorry for the mistake I thought he worked for the sheriffs office.
But it's Hillsboro Police in the county of Vernon
ATTACHMENT 1

COMPLAINT FORM

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT
FOR THE Western DISTRICT OF Wisconsin

DOC NO
REC'D/FILED
2017 MAR 23 AM 9:35
PETER OPPENEER
CLERK US DIST COURT
WD OF WI

(Full name of plaintiff(s))

Lewis Edward Byrd III

vs

Case Number:

(Full name of defendant(s))

(to be supplied by clerk of court)

Hillsboro Police Dept - officer Brandon

Arnez Badge # 175

A. PARTIES

1. Plaintiff is a citizen of Wisconsin and is located at
(State)

1320 Bad Axe Ct. Viroqua, WI 54665

(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant Hillsboro Police Dept. - officer Brandon N. Arnez # 175
(Name)

is (if a person or private corporation) a citizen of Wisconsin
(State, if known)

and (if a person) resides at _____
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Hillsboro Police Department
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Officer Brandon Arnez violated my fourth Amendment rights when
he used excessive force when he shot eleven bullets at me. In
which eight of them went into my car. My car was struck once
each in the following locations. In the right headlight; on the hood
of the car near the front middle part of the hood; just below and behind
the left headlight; through the passenger side window edge; just behind
the back passenger window; in front of the back right tail light; into
the back right taillight; into the back window, on the right edge.
When I was in the car I was struck by one of the bullets in the

left elbow. Three more shots were fired at me as I exited my car totaling eleven rounds. When handcuffing me he broke my right arm so badly that I require surgery. Surgery that I have not been taken to have yet.

This happened on Aug. 13, 2016 in Hillsboro Wisconsin, County of Vernon.

He said he did this because he was scared.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

I seek damages from the Hillsboro Police Dept. - officer Brandon N.
Arnez for the use of unnecessary and excessive force and
compensation for my mental and physical injuries. I am seeking
an award of \$2.5 million dollars.

E. JURY DEMAND

☒ Jury Demand - I want a jury to hear my case
OR

☐ Court Trial - I want a judge to hear my case

Dated this 19th day of march 20 17.

Respectfully Submitted,

Lewis E. Byrd III
Signature of Plaintiff

18148
Plaintiff's Prisoner ID Number

1320 Bad Axe Ct.

Viroqua, WI. 54665
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.